



PATENT

ATTORNEY DOCKET NO.: 040894-5994

*FILED*  
*RCE*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Hideaki FUNAKOSHI et al.	)	Confirmation No.: 3093
	)	
Application No.: 10/761,386	)	Group Art Unit: 2627
	)	
Filed: January 22, 2004	)	Examiner: V. Chow
	)	
For: OPTICAL PICKUP	)	Mail Stop RCE

**Mail Stop RCE**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☒ Previously submitted:

☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 20, 2009 (Any unentered amendment(s) referred to above will be entered).

☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

☐ Other \_\_\_\_\_.

☐ Enclosed:

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Form 1449
- ☐ Other \_\_\_\_\_.

04/20/2009 SZEWDIE1 00000044 500310 10761386

01 FC:1801 810.00 DA  
02 FC:1253 1110.00 DA

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_

## 3. Fees Calculation

## (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$810.00
- ☐ \$405.00 (for small entity)

## (b) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$245.00
<input checked="" type="checkbox"/> three months	\$1,110.00	\$555.00
<input type="checkbox"/> four months	\$1,730.00	\$865.00

The extension of time fee for this request: \$1,110.00

- ☒ An extension of time for one-month has already been secured and the fee paid of \$130.00 is deducted from the fee due for the three-month extension of time now requested.

The adjusted extension of time fee for this request: \$980.00

If an additional extension of time is required, please consider this a Petition therefor.

## (c) Additional Claims Fees

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	7	minus	20	0	x \$52 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	3	minus	3	0	x \$220 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$370.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$ \_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 the total amount of **\$1,790.00** (\$810.00 for the RCE filing fee and \$980.00 for the adjusted three-month extension of time fee).
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_

Wonjoo Suh

Registration No. 64,124

Dated: April 17, 2009

**CUSTOMER NO. 009629**

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